

JC18 Rec'd PCT/PTO 07 NOV 2001

Attorney Docket No. 01245/TL

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Applicant(s): Eric GERBAULT

Serial No. : 09/830,378

Filed : April 25, 2001

For : DEVICE AND METHOD FOR MAKING
AN INTEGRATED CIRCUIT SECURE

Art Unit :
Examiner :

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Date of Deposit: November 7, 2001

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Asst. Commissioner for Patents, Washington, D.C. 20231


Yolanda Usher

To the extent not tendered by check attached hereto, authorization to charge any other fee required in connection with this Paper, to Account No. 06-1378.

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS AND
PETITION TO PROCEED UNDER 37 CFR 1.47(b)**

Assistant Commissioner for Patents
Washington, D.C. 20231

S I R :

This is in response to a NOTIFICATION OF MISSING REQUIREMENTS dated June 7, 2001 requiring the submission of an oath or declaration of the inventor and payment of the requisite fee. A Petition for a three-month extension of time to November 7, 2001 is enclosed herewith along with the requisite fee.

The present invention names a sole inventor, Mr. Eric GERBAULT. Mr. Gerbault ("INVENTOR" hereinafter) has failed to sign a declaration of inventorship that was sent to him by registered mail and which he clearly received based on his signature which appears on the registered mail receipt. Therefore, filing under 37 CFR 1.47(b) has become necessary.

This submission is being made on behalf of Schlumberger Systemes, a French corporation with an address at 50, ave. Jean Jaures, Montrouge, France 92120 (referred to hereinafter as "ASSIGNEE").

INVENTOR was an employee of the ASSIGNEE when the invention was made. In accordance with ASSIGNEE's regular procedures, inventors sign an ownership acknowledgment form for each invention made in the course of employment. INVENTOR signed such a form on October 27, 1998 for this invention, and a copy is enclosed along with an English translation. This satisfies the requirement that applicant must make out a *prima facie* case that ASSIGNEE has a proprietary interest in this invention. The ownership acknowledgment form is on the letterhead of Schlumberger Industries S.A. This company assigned to ASSIGNEE the subject invention, identified under internal disclosure no. 76.0529, in the DEED CONFIRMING ASSIGNMENT, a copy of which is enclosed herewith. See the list for France, page 5.

The last known address of the INVENTOR is:

6, Rue de la Citadelle
94230 Cachan
France

The filing of this application is necessary in order to claim priority benefits under 35 USC 119 and 120.

The following items are enclosed herewith to provide the requisite proof that the INVENTOR has failed to execute the application papers:

- (1) DECLARATION OF FACTS signed by Ms. Sophie DIATTA who has first-hand knowledge of the facts recited therein.
- (2) Letter from Ms. DIATTA to INVENTOR dated April 19, 2001, and a verified English translation thereof, a combined Declaration and Power of Attorney form, and a copy of an envelope in which these items were sent, and marked undeliverable by the post office.
- (3) Letter from Ms. DIATTA to INVENTOR dated June 20, 2001, a Declaration form, a Power of Attorney form, an Assignment, and a copy of the registered letter envelope in which these items were sent.
- (4) Letter from Ms. DIATTA to INVENTOR dated August 28, 2001, a Declaration form, a Power of Attorney form, an Assignment, and a copy of the registered letter envelope in which these items were sent, and a copy of the receipt signed by the INVENTOR.

Transmitted herewith are the following:

- (1) Combined Declaration and Power of Attorney naming Mr. GERBAULT as the sole inventor and signed on behalf of the ASSIGNEE by the undersigned.
- (2) A check for \$130.00 for the post-filing surcharge fee.
- (3) A copy of the NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371.
- (4) Statement under 37 CFR 3.73(b).
- (5) A check for \$130.00 as the petition fee required in connection with the present Petition.

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Should any additional fees be required in connection with this submission, the USPTO is hereby authorized to charge same to account no. 06-1378.

It is hereby requested in accordance with this Petition to have this application proceed under 37 CFR 1.47(b) in that the submissions made herein fulfill all applicable requirements.

Respectfully submitted,


Thomas Langer
Reg. No. 27,264

Frishauf, Holtz, Goodman, Langer & Chick, P.C.
767 Third Avenue - 25th Floor
New York, New York 10017-2032
Tel. (212) 319-4900
Fax (212) 319-5101
TL:yu
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